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August 1, 2018

**VIA ECF**

Honorable Michael A. Shipp, U.S.D.J.  
Clarkson S. Fisher Federal Bldg. & U.S. Courthouse  
402 E. State Street  
Trenton, New Jersey 08608

**Re: *In Re Valeant Pharmaceuticals International, Inc.*  
*Third-Party Payor Litigation*  
Civil Action No. 3:16-cv-3087 (MAS)(LHG) (D.N.J.)**

Dear Judge Shipp:

Pursuant to the Court's August 9, 2017 Order (ECF No. 74), we write jointly to provide the Court with a status update.<sup>1</sup> On May 2, 2018, the criminal trial of Gary Tanner (a non-party to this action) and Andrew Davenport (a Defendant in this action) in *United States v. Tanner* began before District Judge Loretta A. Preska. On May 22, 2018, the jury returned a verdict of guilty on all counts against both defendants. Sentencing is scheduled for September 19, 2018.

The parties submitted a letter to the Court on June 5, 2018 concerning, among other things, Plaintiffs' position that the stay of this action should be lifted, Defendant Valeant's taking no position on the stay, and Defendants Philidor RX Services and Andrew Davenport's position that there is a continued necessity of the stay (ECF No. 82).

The June 5 letter also noted that Plaintiffs were analyzing the record from the criminal trial in order to determine whether to amend their complaint in this action. Plaintiffs have determined to amend, and will propose a schedule for the amendment and briefing of Defendants' motions to dismiss the amended complaint to Defendants.

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<sup>1</sup> On May 1, 2018, counsel for Matthew Davenport filed a notice of his recent death (ECF No. 80).

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We are available at the Court's convenience to answer any questions. Thank you for your continued attention to this matter.

Very truly yours,

CARELLA, BYRNE, CECCHI,  
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